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On September 1, 2009

PATENT
Docket No.: 015258-063900US

TOWNSEND and TOWNSEND and CREW LLP

By: 
Lisa Jeanetta

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gerard BARBEZAT, Arno
REFKE and Michael LOCH

Application No.: 10/509,850

Filed: September 30, 2004

For: PLASMA SPRAYING METHOD

Customer No. 20350

Confirmation No. 4308

Examiner: Katherine A. Bareford

Technology Center/Art Unit: 1792

DECLARATION OF J. GEORG SEKA
UNDER 37 CFR § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, J. Georg Seka, being duly warned that willful false statements and the like are punishable by fine or imprisonment or both, under 18 U.S.C. § 1001, and may jeopardize the validity of the patent application or any patent issuing thereon, state and declare as follows:

All statements herein made of my own knowledge are true, and statements made on information or belief are believed to be true and correct.

I am currently of counsel at Townsend, Townsend and Crew. I have practiced as a patent attorney for well over 40 years.

I was born in Austria and am fluent in German and in English.

I have reviewed and analyzed the above-referenced patent application, and I am familiar with the contents therein.

I have read the Office Action dated March 2, 2009 received in the present case.

I declare as follows regarding the objection to the term "lower-density or material-deficient" transitional zones in paragraph [0006] of the previously non-entered substitutes specification, and the reference to the original description at page 2, lines 14-16, where the zones are defined as follows: "Transitional zones in which the density of the deposited material is lower than in the particles bound the particles at the side," and that in the original description on page 3, lines 26-27, the term "low-material transitional zone bound the particles from one another" should be understood as "low density transitional zones delimit the particles from one another."

I have reviewed the related German text of the PCT priority application and I declare that a proper translation of the related German text of the PCT application may be that: "low density transitional zones delimit the particles from one another."

The declarant has nothing further to say.



J. Georg Soka



Date